Cambridgeshire County Council

Appendix C

Members' Ethics Complaints Procedure Flowchart

Complaint received in writing by Monitoring Officer

Monitoring Officer:
- Acknowledges complaint within 5 working days and informs subject member.

Complaint considered by Monitoring Officer in consultation with Independent Person

Preliminary tests:
- Acting in capacity as a member?
- In office at time of alleged misconduct?
- Very minor or trivial matter?
- Vexatious or malicious?
- Historical?
- Potential breach of the Code?
- Assessment of public interest?
- Need to seek additional information, e.g. from subject members, as required prior to making a decision?

Complaint rejected with reasons

Informal Resolution explored (Mediation, apology etc)

Potentially criminal conduct – Refer to police

Referral to Hearing Sub-Committee for consideration

Appointment of Investigating Officer and Investigation or Monitoring Officer Investigates

Investigation Report to include:
- Agreed facts;
- Facts not agreed and corresponding conflicting evidence
- Conclusion whether a breach of the code or not

Complaint referred to Sub-Committee for Hearing

Hearings Sub-Committee to consider evidence, find facts and conclude whether a breach of the Code of Conduct has occurred.

Any decision must be made in consultation with the Independent Person (who may be present throughout the hearing)

Outcome:

1. **No further action**
2. **Informal Resolution** (if agreed)
3. **Formal Decision - Sanction**